

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SCANSOFT, INC.,)	
)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-10353-PBS
)	
)	
VOICE SIGNAL TECHNOLOGIES, INC.,)	
LAURENCE S. GILICK, ROBERT S.)	
ROTH, JONATHAN P. YAMRON, and)	
MANFRED G. GRABHERR,)	
)	
Defendants.)	

EMERGENCY MOTION TO STAY MAY 2, 2006 DOCKET ORDER

Defendant Voice Signal Technologies, Inc. ("Voice Signal") files this emergency motion to stay the Court's May 2, 2006 Docket Order granting plaintiff ScanSoft's Motion to Allow Its Independent Expert Access to VST's First Year Source Code (The "ScanSoft Motion")

The ScanSoft Motion was filed and served on Friday, April 28, 2006. It was *not* filed as an emergency motion. Pursuant to Local Rule 7.1(B)(2), Voice Signal's opposition to ScanSoft's motion must be filed within fourteen days after service, or not later than May 12, 2006. Voice Signal opposes ScanSoft's Motion and intended to file an opposition within the time period specified in the Rules.

At approximately 1:08 p.m. today, May 2, 2006, Voice Signal's counsel received electronic notice of the Court's Order granting the ScanSoft Motion. Voice Signal's counsel contacted the Court's clerk and explained that the time to file an opposition has not run. The Court's clerk has recommended that Voice Signal file its opposition with an accompanying

motion for reconsideration of the May 2 Order granting the ScanSoft Motion. Voice Signal hereby commits to filing and serving an opposition and accompanying motion for reconsideration not later than Friday, May 5, 2006 (7 days before it would be due under local Rule 7.1).

In the meantime, Voice Signal requests that the Court's May 2, 2006 Order granting ScanSoft's Motion be stayed. The relief requested in the ScanSoft Motion - to allow ScanSoft's expert to review Voice Signal's source code - completely undermines the Neutral Expert Procedure and puts at risk Voice Signal's most valuable asset. The Court should not permit such a drastic change to the landscape and risk to Voice Signal's proprietary source code without the benefit of considering Voice Signal's opposition.

Respectfully submitted,

VOICE SIGNAL TECHNOLOGIES, INC.

By its attorneys,

/s/ Sarah Chapin Columbia

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Dated: May 2, 2006.